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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/510,442	10/07/2004	Claudio Verneti	69179-230013	2146

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EXAMINER
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GONZALEZ, LUIS A

ART UNIT	PAPER NUMBER
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3609

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PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b>		<b>Applicant(s)</b>	
	10/510,442		VERNETTI ET AL.	
	<b>Examiner</b>		<b>Art Unit</b>	
	Luis A. Gonzalez		3609	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-4, 10, 12, 14, 16, 18, 19, 22 and 23 is/are rejected.
- 7) ☒ Claim(s) 5-9, 11, 13, 15, 17, 20, 21, 24 and 25 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 07 October 2004 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |                                                                                                                                   |                                                                                         |
|-----------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                                       | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                              | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>20040710</u> . | 6) <input type="checkbox"/> Other: ____.                                                |

## DETAILED ACTION

### *Drawings*

1. The drawings are objected to under 37 CFR 1.83(a) because they fail to show "preparation stage", "feeding sub-stage", and "retracting sub-stage" as described in the specification. Any new reference numbers in drawings must be placed in specification as well. No new matter should be entered.

Any structural detail that is essential for a proper understanding of the disclosed invention should be shown in the drawing. MPEP § 608.02(d). Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

### ***Specification***

1. The disclosure is objected to because of the following informalities:
  - "...printing area 41 (Figs. 3 and 4)" should read "...printing area 41 (Figs. 1, 2, and 3)"-(page 3, line 14).
  - "...device 34 (Figs. 7 and 8)" should read "...device 34 (Figs. 2 and 7)"-(page 4, line 5)
  - "(see Fig. 4)" should read "(see Fig. 3)"-(page 5, line 19).

Appropriate correction is required.

### ***Claim Objections***

2. Claims 12 and 14 are objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim.

Applicant is required to cancel the claim(s), or amend the claim(s) to place the claim(s) in proper dependent form, or rewrite the claim(s) in independent form. Intended use of the claimed invention must result in a structural difference between the claimed

- invention and the prior art in order to patentably distinguish the claimed limitation from the earlier presented claims.

### ***Claim Rejections - 35 USC § 112***

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

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4. Claims 1-4 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
5. Regarding claims 1-3, the examiner is unclear of the limitation consisting of "the preparation stage", "feeding sub-stage", and "retracting sub-stage" as there is no structure directed to these limitations. Clarification is required.
6. Regarding claim 4, the examiner is unclear of the limitation "...positioning of which is servo dependent on the direction of rotation of the paper feeding motor...". What is the structure that is servo dependent? What structure constitutes the servo? Clarification is required.
7. Claims 10, 12, and 14 recite the limitation "the blocking group". There is insufficient antecedent basis for this limitation in the claim. Correction is required.

***Claim Rejections - 35 USC § 102***

8. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

9. Claim 4 is rejected under 35 U.S.C. 102(b) as being anticipated by Takizawa et al. US 5,354,136.

Takizawa et al. discloses a printer feed mechanism comprising:

- a paper feeding motor (not shown); (column 5, paragraph 2)

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- a changeover mechanism (25) arranged downstream of motor and suitable for multiple modes of operation including high speed during feeding and high quality; (column 12, paragraph 4)
- an actuating member (40), positioning which is dependent on the direction of rotation of the paper feeding motor.

10. Claim 19 is rejected under 35 U.S.C. 102(b) as being anticipated by Nakamura US 4,090,410.

Nakamura discloses a paper feeding mechanism comprising:

- a paper feeding motor (not shown); (column 2, line 34)
- a first kinematic linkage (19);
- a second kinematic linkage (2) having a different transmission ratio than the first kinematic linkage (19);
- an actuating member (6) which puts the kinematic linkages into operation.

11. Claim 22 is rejected under 35 U.S.C. 102(b) as being anticipated by Yokoi et al. US 6257692.

Yokoi et al. discloses an image forming system comprising:

- a carriage (2);
- a paper feeding motor (24), referred to as a pulse motor;
- a picking mechanism (17), referred to as a sheet supply roller;
- a clutch (40), referred to as a spring clutch;
- linkages (Figure 2), referred to as a gear train;
- a control group, referred to as a lock lever (35A) and control ring (35).

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12. Claim 23 is rejected under 35 U.S.C. 102(b) as being anticipated by Okunomiya US 4,909,649.

Okunomiya discloses a recording apparatus comprising:

- a paper feeding motor (12);
- a worm screw (14);
- a kinematic linkage (see Fig.1 below);
- a helical wheel (15);

***Claim Rejections - 35 USC § 103***

13. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

14. Claims 1-3, and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Okunomiya US 4,909,649 in view Cho US 5,974,283.

Okunomiya teaches a recording apparatus comprising:

- a paper feeding motor (12)
- a changeover mechanism (9, 18, 19, 22, 24) arranged downstream of the motor.
- a worm screw (14) and helical wheel (15) coupling;
- a picking mechanism (1);

Okunomiya does not teach an alternative path to the picking path. Cho teaches an alternative path "B", which is opposite the direction of printing (See column 4, paragraph 3). It would have been obvious to one of ordinary skill in the art, at the time

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the invention was made to modify Okunomiya's device to include the alternative path as taught by Cho in order to recirculate the sheet for duplex printing.

15. Claim 16 is rejected under 35 U.S.C. 103(a) as being unpatentable over Okunomiya and Cho, as applied to claim 1 above, and further in view of Yoshikado et al. US 5,055,885.

Okunomiya discloses a picking mechanism (1), but does not teach a clutch member. Yoshikado et al. teaches a clutch (20). It would have been obvious to one of ordinary skill in the art, at the time the invention was made to modify Okunomiya's paper feed device to include the clutch as taught by Yoshikado et al. in order to connect and disconnect motor power to the drive rollers.

***Allowable Subject Matter***

16. Claims 5-9,11,13,15,17,20,21,24, and 25 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

17. The following is a statement of reasons for the indication of allowable subject matter: Claim 5 has allowable subject matter in that the closest prior art of Takizawa et al. does not teach or suggest an actuating member fulcrum-mounted on the axis of the feeding motor and suitable for assuming angular positions. Claim 6 has allowable subject matter is allowable in that the closest prior art of Takizawa et al. does not teach or suggest a blocking group for blocking the position of the actuating member. Claim 20 has allowable subject matter in that the closest prior art of Nakamura does not teach or suggest an actuating member comprising a plate supporting a pair of intermediate tooth



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wheels meshing with a motor pinion for connecting the tooth wheels with the kinematic linkages. Claim 24 has allowable subject matter in that the closest prior art of Okunomiya does not teach or suggest an intermediate tooth wheel integral in rotation with a motor pinion and which is rotated by a support of the worm screw.

18. Claim 10 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims. The closest prior art does not teach or suggest a blocking group.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Luis A. Gonzalez whose telephone number is (571) 270-3094. The examiner can normally be reached on Mon-Fri, 7:30AM-5PM, Alt. Friday off, EST..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Victor Batson can be reached on (571) 272-6987. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

*Charles Fox* 7-9-07  
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Primary Examiner  
Art Unit 3609

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7/9/07